Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 1 of 12

B1 (Official Form 1) (4/10) **UNITED STATES BANKRUPTCY COURT** WESTERN DISTRICT OF VIRGINIA **Voluntary Petition** LYNCHBURG DIVISION Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Thacker, Dwaine Sylvester Thacker, Laura Gibson All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): fka Laura Dorman Gibson; fka Laura June Dorman Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): than one, state all): xxx-xx-1834 xxx-xx-2769 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 3938 Bungletown Road 3938 Bungletown Road Schuyler, VA Schuyler, VA ZIP CODE ZIP CODE 22969 22969 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: **Albemarle Albemarle** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 3938 Bungletown Road 3938 Bungletown Road Schuyler, VA Schuyler, VA ZIP CODE ZIP CODE 22969 22969 Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor (Form of Organization) **Nature of Business** Chapter of Bankruptcy Code Under Which (Check one box.) the Petition is Filed(Check one box.) (Check one box.) Health Care Business Chapter 7 Single Asset Real Estate as defined Chapter 15 Petition for Recognition Individual (includes Joint Debtors)
See Exhibit D on page 2 of this form. Chapter 9 of a Foreign Main Proceeding in 11 U.S.C. § 101(51B) Chapter 11 Railroad Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Stockbroker of a Foreign Nonmain Proceeding Chapter 13 Partnership Commodity Broker Other (If debtor is not one of the above Clearing Bank **Nature of Debts** entities, check this box and state type (Check one box.) Other of entity below.) Debts are primarily consumer debts, defined in 11 U.S.C. Debts are primarily Tax-Exempt Entity business debts (Check box, if applicable.) § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code) hold purpose. Filing Fee (Check one box.) **Chapter 11 Debtors** Check one box: Full Filing Fee attached. Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach Check if: signed application for the court's consideration certifying that the debtor is Debtor's aggregate noncontigent liquidated debts (excluding debts owed to unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. \S 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors /101999 M 100-199 5.000 10.000 50.000 100.000 100,000 25.000 Estimated Assets \$100,001 to .000,001 \$50,001 to \$500,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$1 billion \$50,000 \$100,000 \$500,000 to \$1 million to \$10 million to \$50 million to \$100 million to \$500 million to \$1 billion Estimated Liabilities \$100,001 to \$500,001 50,001 to 5500,000,001 \$1,0<mark>00,001</mark> 50,000.001 \$100,000,001 \$10.000.001 More than

to \$500 million

to \$1 billion

\$1 billion

\$100,000

\$50,000

\$500,000

to \$1 million

to \$10 million

to \$50 million

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 2 of 12

B1 (Official Form 1) (4/10)		Page 2		
Voluntary Petition	Name of Debtor(s): Dwaine Sylvester T			
(This page must be completed and filed in every case.)	Laura Gibson Thac			
All Prior Bankruptcy Cases Filed Within Las				
Location Where Filed: WDOV-Lynchburg (7)	Case Number: 03-00219	Date Filed: 1/21/2003		
Location Where Filed:	Case Number:	Date Filed:		
WDOV Case #02-04988 Ch 13 Filed 12/16/02	92-0179	9/28/1992		
Pending Bankruptcy Case Filed by any Spouse, Partner o		than one, attach additional sheet.)		
Name of Debtor: None	Case Number:	Date Filed:		
District:	Relationship:	Judge:		
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and	(To be completed	nibit B if debtor is an individual		
10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	whose debts are pr I, the attorney for the petitioner named in the foregoing petition	rimarily consumer debts.) on, declare that I have		
a. No cooking chart of 1994 and is requesting relief under draphet 11.)	informed the petitioner that [he or she] may proceed under ch	hapter 7, 11, 12, or 13		
Exhibit A is attached and made a part of this settings	of title 11, United States Code, and have explained the relief such chapter. I further certify that I have delivered to the deli-			
Exhibit A is attached and made a part of this petition.	required by 11 U.S.C. § 342(b).			
	V //B	DITO 07/05/05/05		
	X /s/ David Wright for Cox L David Wright for Cox Law			
Ex	thibit C	Oroup, reco		
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of ir		?		
Yes, and Exhibit C is attached and made a part of this petition.				
No.				
Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition:				
Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.				
	ding the Debtor - Venue applicable box.)			
Debtor has been domiciled or has had a residence, principal place of business, immediately	,	3		
There is a bankruptcy case concerning debtor's affiliate, gener	ral partner, or partnership pending ir	n this District.		
Debtor is a debtor in a foreign proceeding and has its principal place of busines District, or has no	s or principal assets in the United States in th	is		
principal place of business or assets in the United States but is a defendant in a	an action or proceeding [in a federal or state			
,	pplicable boxes.)	•		
Landlord has a judgment against the debtor for possession of	debtor's residence. (If box checked	, complete the following.)		
	(Name of landlord that obtained judg	gment)		
	(Address of landlord)			
Debtor claims that under applicable nonbankruptcy law, there are circumstance cure the entire	,	to		
Debtor has included in this petition the deposit with the court of any rent that we the filing of the	ould become due during the 30-day period after	er		
Debtor certifies that he/she has served the Landlord with this of	certification. (11 U.S.C. § 362(I)).			

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 3 of 12

B1 (Official Form 1) (4/10)	Page 3
Voluntary Petition	Name of Debtor(s): Dwaine Sylvester Thacker
	Laura Gibson Thacker
(This page must be completed and filed in every case)	
S	Signatures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is	I declare under penalty of perjury that the information provided in this petition is true
true and correct.	and correct, that I am the foreign representative of a debtor in a foreign proceeding,
[If petitioner is an individual whose debts are primarily consumer debts and has	and that I am authorized to file this petition.
chosen to file under chapter 7] I am aware that I may proceed under chapter 7,	
11, 12 or 13 of title 11, United States Code, understand the relief available under	(Check only one box.)
each such chapter, and choose to proceed under chapter 7.	
[If no attorney represents me and no bankruptcy petition preparer signs the	request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).	Certained copies of the documents required by 11 0.5.0. § 1515 are attached.
I request relief in accordance with the chapter of title 11, United States Code,	
specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of
	Ititle 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
	recognition of the foreign main proceeding is attached.
X /s/ Dwaine Sylvester Thacker	
Dwaine Sylvester Thacker	·
-	X
X /s/ Laura Gibson Thacker Laura Gibson Thacker	(Signature of Foreign Representative)
Laura Gibson Thacker	
	
Telephone Number (If not represented by attorney)	(Printed Name of Foreign Representative)
07/29/2010	
Date	Date
Signature of Attorney*	Signature of Non-Attorney Bankruptcy Petition Preparer
	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as
X /s/ David Wright for Cox Law Group, PLLC	defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and
David Wright for Cox Law Grou Bar No.	have provided the debtor with a copy of this document and the notices and
g	information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules
Cox Low Croup BLLC	or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a
Cox Law Group, PLLC	maximum fee for services chargeable by bankruptcy petition preparers, I have
900 Lakeside Drive	given the debtor notice of the maximum amount before preparing any document
Lynchburg, VA 24501-3602	for filing for a debtor or accepting any fee from the debtor, as required in that
	section. Official Form 19 is attached.
//- N - /	
Phone Nd(434) 845-2600 Fax(484) 845-0727	Printed Name and title, if any, of Bankruptcy Petition Preparer
07/29/2010	Printed Name and title, if any, of Bankruptcy Petition Preparer
	•
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	Social-Security number (If the bankruptcy petition preparer is not an individual,
certification that the attorney has no knowledge after an inquiry that the	state the Social-Security number of the officer, principal, responsible person or
information in the schedules is incorrect.	partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
Signature of Debtor (Corporation/Partnership)	
I declare under penalty of perjury that the information provided in this petition is	
true and correct, and that I have been authorized to file this petition on behalf of	
the debtor.	
	Address
The debtor requests relief in accordance with the chapter of title 11, United States	Address
Code, specified in this petition.	X
	Λ
	Date
Y	Signature of bankruptcy petiton preparer or officer, principal, responsible person, or
^	partner whose Social-Security number is provided above.
Signature of Authorized Individual	
	Names and Social-Security numbers of all other individuals who prepared or
	assisted in preparing this document unless the bankruptcy petition preparer is not
Printed Name of Authorized Individual	an individual.
Title of Authorized Individual	If more than one person prepared this document, attach additional sheets
	conforming to the appropriate official form for each person.
Date	A bankruptcy petition preparer's failure to comply with the provisions of title 11
- 5.0	and the Federal Rules of Bankruptcy Procedure may result in fines or
	imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 4 of 12

B 1D (Official Form 1, Exhibit D) (12/09)NITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

	Dwaine Sylvester Thacker	Case No.	
	Laura Gibson Thacker		(if known)
	Debtor(s)		

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services
provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit couseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services
provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 5 of 12

B 1D (Official Form 1, Exhibit D) (12/09)NITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

In re:	Dwaine Sylvester Thacker	Case No.	
	Laura Gibson Thacker		(if known)

Debtor(s)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

	Continuation Sheet No.	. 1
	quired to receive a credit counseling briefing because of: a motion for determination by the court.]	[Check the applicable statement.] [Must be
	acity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illn capable of realizing and making rational decisions with respect to financial re	
1 1	ility. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of the participate in a credit counseling briefing in person, by telephone, or through	_
Active	e military duty in a military combat zone.	
	States trustee or bankruptcy administrator has determined) does not apply in this district.	that the credit counseling requirement of
I certify under penalty	y of perjury that the information provided above is true and correct.	
Signature of Debto	or: /s/ Dwaine Sylvester Thacker Dwaine Sylvester Thacker	
Date: 07/29/	2010	

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 6 of 12

B 1D (Official Form 1, Exhibit D) (12/09)NITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

In re:	Dwaine Sylvester Thacker	Case No.	lo.		
	Laura Gibson Thacker	_	(if known)		
	Debtor(s)				

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

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provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 7 of 12

B 1D (Official Form 1, Exhibit D) (12/09)NITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

In re:	Dwaine Sylvester Thacker	Case No.	
	Laura Gibson Thacker		(if known)

Debtor(s)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

	Continuation Sheet No.	. 1
	t required to receive a credit counseling briefing because of: by a motion for determination by the court.]	[Check the applicable statement.] [Must be
1 1	capacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illn e incapable of realizing and making rational decisions with respect to financial re	
1 1	isability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of fort, to participate in a credit counseling briefing in person, by telephone, or thro	-
□ A	ctive military duty in a military combat zone.	
	ited States trustee or bankruptcy administrator has determined 9(h) does not apply in this district.	that the credit counseling requirement of
I certify under per	nalty of perjury that the information provided above is true and correct.	
Signature of De	ebtor: /s/ Laura Gibson Thacker Laura Gibson Thacker	
Date: 07 /2	29/2010	

Case 10-62198 Doc 1 Filed 07/30/10 Entered 07/30/10 16:37:01 Desc Main Document Page 8 of 12

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

IN RE: Dwaine Sylvester Thacker

Laura Gibson Thacker

CASE NO

CHAPTER 13

VERIFICATION OF CREDITOR MATRIX

	The above named Debte	or hereby verifies th	hat the attache	ed list of credit	ors is true and	d correct to the	best of h	nis/her
know	ledge.							

Date	07/29/2010	/s/ Dwaine Sylvester Thacker Dwaine Sylvester Thacker
Date	07/29/2010	/s/ Laura Gibson Thacker Laura Gibson Thacker

Allied Interstate, Inc. PO Box 1954 Southgate, MI 48195

Allstate Insurance Company 75 Executive Pkwy Hudson, OH 44237-0001

AMO Recoveries 19401 40th Avenue W. Suite 440 Lynnwood, WA 98036

Capital One, N.a. C/O American Infosource PO Box 54529 Oklahoma City, OK 73154

Charlottesville Radiology LTD. PO Box 2546 Virginia Beach, VA 23450

Chase Bank One Card Serv Westerville, OH 43081

Chase Po Box 15298 Wilmington, DE 19850

Citifinancial Auto Recovery Department PO Box 9585 Coppell, TX 75019

Consumer Debt Solutions 8323 NW 12th Street Suite 216 Doral, FL 33126 Frank S. Dorman 5192 Secretary Sand Road Esmont, VA 22937

Fredericksburg Cr Bur 10506 Wakeman Dr Fredericksburg, VA 22407

Frost Arnett Company PO Box 198988 Nashville, TN 37219-8988

GMAC

Attention: Bankruptcy Dept. 1100 Virginia Drive Fort Washington, PA 19034

GMAC Mortgage Corporation
Reg Agent Corporation Service Co
11 S 12th St / PO Box 1463
Richmond, VA 23218

I C System Inc Po Box 64378 Saint Paul, MN 55164

Internal Revenue Service***
P O Box 21126
Philadelphia, PA 19114-0000

Julia C. Dudley, Acting U.S. Attorney Western District of Virginia PO Box 1709 Roanoke, VA 24008-1709

Liberty Mutual Insurance 7803 Timberlake Road, Ste B Lynchburg, VA 24502-0000 Linda Kormylo, Insolvency Manager IRS 400 North 8th Street Box 76 Room 898 Richmond, VA 23219-0000

Martha Jefferson Hospital PO Box 2556 Charlottesville, VA 22902-2556

Piedmont Emergency Consultants PLC P O Box 11647 Daytona Beach, FL 32120

Progressive Insurance PO Box 30108 Tampa, FL 33630

Richard H Baier, DDS 531 Valley Street Scottsville, VA 24590

Shapiro & Burson, LLP 236 Clearfield Avenue STE 215 Virginia Beach, VA 23462

Sperry Marine Federal Credit Union PO Box 4519 Carol Stream, IL 60197

Sperry Marine Federal Credit Union 1070 Seminole Trail Charlottesville, VA 22901-0000

US Cellular 2505 Wards Road Lynchburg, VA 24502-0000 UVA Imaging
PO Box 1438
Columbus, GA 31902-0000

Va Department Of Taxation*
Bankruptcy Unit
P O Box 2156
Richmond, VA 23218-0000

Verizon PO Box 3397 Bloomington, IL 61702

Verizon Wireless PO Box 25505 Lehigh Valley, PA 18002-5505

Wfnnb/fashion Bug 1103 Allen Dr Milford, OH 45150